

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
OF THE STATE OF WASHINGTON

IN THE MATTER OF THE HEARING REQUEST)
OF CURTIS CATTLE COMPANY REGARDING)
GROUND WATER APPLICATION NO. 9289)

PCHB NO. 70-26
(DWR DOCKET 69-14)

CURTIS CATTLE COMPANY,)
Appellant,)

FINAL DECISION
AND ORDER

vs.)

DEPARTMENT OF WATER RESOURCES,)
STATE OF WASHINGTON,)
Respondent.)

The Pollution Control Hearings Board, having considered the subscribed stipulation appended hereto and otherwise being fully advised,

ORDERS, ADJUDGES AND DECREES that:

1. Findings of fact called for by RCW 43.21B.100 and findings and conclusions as to each contested issue of fact and law called for by Chapter 371-08 W.A.C. are unnecessary under the circumstances under which this matter has been submitted and they are hereby dispensed with.

2. Permit issue under Ground Water Application No. 9289, subject to existing rights, and conditioned as follows:

(a) The period of use shall be designated from February 1 to December 1 of each year.

(b) Withdrawal shall be approved for 740 gallons per minute, limited to 762 acre-feet per year for the irrigation of 560 acres.

(c) The approved withdrawals shall be for additional waters from a well drilled under Ground Water Certificate 5934-A and for the irrigation of the same 560 acres authorized thereunder; total authorized withdrawal from this well, then, is 1840 gallons per minute limited to 2240 acre-feet per year for the irrigation of 560 acres.

(d) The priority date shall be March 12, 1968.

(e) The final three paragraphs of the Report of Examination on Ground Water signed by Charles K. McDonald, Engineer, Division of Water Management, on June 30, 1969, shall be incorporated in the permit.

3. This FINAL DECISION AND ORDER shall be effective immediately upon entry by the Board.

DATED this 19th day of July, 1971.

STATE OF WASHINGTON
POLLUTION CONTROL HEARINGS BOARD

Approved as to form and
for entry by the Board.
Notice of Presentment
and right to except
pursuant to WAC 371-08-205
are hereby waived.

By Matthew W. Hill
MATTHEW W. HILL, Chairman

By James T. Sheehy
JAMES T. SHEEHY, Member

Milton T. Schuman
Attorney for Appellant

Walt Woodward
WALT WOODWARD, Member

Wick Dufford
Attorney for Respondent

STIPULATION

CURTIS CATTLE COMPANY and the DEPARTMENT OF ECOLOGY, formerly the DEPARTMENT OF WATER RESOURCES, through their attorneys, hereby stipulate, for the purposes of compromise and settlement of the contested case, formerly DWR Docket 69-14, now subject to the jurisdiction of the Pollution Control Hearings Board under the Board's Docket No. 70-26, as follows:

That the FINAL DECISION AND ORDER to which this STIPULATION is appended may be entered by the Board and the parties hereto waive all right to except or right to seek judicial review relating to the entry thereof.

DATED this 2nd day of July, 1971.


Attorney for Curtis Cattle Company


Attorney for Department of Ecology